

Town of Nolensville  
Planning Commission Meeting  
Regular Meeting  
August 11, 2005  
7:00 P.M.  
At Nolensville Elementary School

Members in attendance were as follows: Jimmy Alexander, Larry Gardner, Kristie McArthur, Frank Wilson, Charles Knapper, Willis Wells, James Clark, Bob Haines, and Rick Fisher. Staff present was Henry Laird, Richard Woodroof, Bob Notestine, and Tonia Smith

Agenda Item I- Meeting called to order by Chairman Willis Wells

Agenda Item II- Pledge of Allegiance

Agenda Item III- Approval of Minutes

Frank Wilson stated on page 4 under Yorkshire Park it should read: 24' Front Yard Setback and 30' setback from garage face.

Charles Knapper stated on page 2 under Lot #3 Haley Industrial Plat it should read: The amendment would be to for approval of Lot #3 to have the access to Nolensville be closed with the *exception* of a shared access between lots 3 and 4 to be added.

Frank Wilson made a motion to approve the minutes as corrected. James Clark seconded to motion, passed unanimously.

Agenda Item IV- Citizen Comments

Jackie Hicklen- 2408 Rocky Fork Road- stated her concerns with PUD Housing Developments being built in Nolensville. Her concerns were:

- No Crawl space
- High Density Homes
- Mass Quantity
- Concrete Slabs
- Historic Trees being cut down

She also stated she would like to see bigger lots.

Alfred Bennett-7286 Nolensville Road-stated before the meeting he and his wife drove threw Greystone and how beautiful it was. He would like everyone to keep in mind when the Town was incorporated in 1996 the plans were to keep the towns enhanced beauty with subdivisions like Greystone.

Agenda Item V- New Business

a.) Brittain Plaza

Richard Woodroof stated this is the Yazdian Property on the Westside of Nolensville Road. This was deferred at last month meeting. They have addressed all issues. There is a 20 foot sign on the plans, which was a typo. The Zoning Ordinance states it can only be 10 foot.

Mike Anderson (engineer) stated that will be taking care of.

Jimmy Alexander made a motion for approval with the conditions that the sign meets the zoning ordinance, Frank Wilson seconded the motion. Motion passed with Jimmy Alexander, Frank Wilson, Willis Wells, Rick Fisher, Larry Gardner, Bob Haines, and Charles Knapper voting for approval. James Clark and Kristie McArthur voted against approval of Brittain Plaza.

Charles Knapper asked "would you be developing the soccer fields?"

Mike Anderson stated they would donate that section of land to the Town of Nolensville or to the school. They would not be developing the fields.

Bob Haines question about the site line pulling out of the development.

Rick Fisher asked "would you have neon signs?"

Fred Yazdian answered "no."

Larry Gardner stated this development was close to the Nolen Park entrance and asked if they had TDOT approval.

Mike Anderson stated RPM prepared their traffic study.

Charles Knapper stated he would be sending a letter to TDOT and would make sure Nolen Park was included.

James Clark stated he did not like this design.

b.) Patterson's Precision- Site Plan

Richard Woodroof stated the developer has asked to be deferred until next month.

c.) Yorkshire Park

Richard Woodroof stated the developer has also asked to be deferred unit next month.

d.) McCanless Commercial Building

Henry Laird stated they would like to ask for a variance to the zoning ordinance 3.2.2b which states:

Access: Each required off-street parking stall shall open directly upon an aisle or driveway that is wide enough and designed to provide a safe and efficient means of vehicular access to the parking space. All off-street parking facilities shall be designed with an appropriate means of vehicular access to a road, in a manner which least interferes with traffic movements.

Henry Laird stated they have 6 parking spaces in the front of the building.

Richard Woodroof stated this will be a change of use were the old Pharmacy will be temporary a Bank.

James McCanless (owner of Building) stated he had measured from the white lane in the middle of the road to the first step, it was 39 feet.

Bob Haines asked, "Could you use the south side of the building for a parking pad?"

James McCanless answered, "We would like to add on to the building some day in the future."

Larry Gardner made a motion for approval. Bob Haines seconded the motion, passed unanimously.

Rick Moody (Bank Manager) stated the bank would use this site for two years. The banks name is People State Bank of Commerce.

Larry Gardner stated he would like to see the ramp moved and parking to side.

Jimmy Alexander stated he would like to see landscaping in the front and a sidewalk with parking in the back.

Charles Knapper stated this board could eliminate the parking in the front and say that 12 parking spaces would be enough for this business since it is in the village.

Jimmy Alexander made an amendment to the motion to eliminate the 6 parking spaces in front, move the handicap space to the side parking, add landscaping to the front, and add 2 more parking spaced on the north side closest to the building. Charles Knapper seconded the motion, passed unanimously.

e.) Cross Sections

Richard Woodroof stated that staffs recommend 12 foot lanes and 2 ½ foot curb and gutter.

Willis Wells made a motion to add a foot of pavement on each side and 6 inches of curb. Richard Woodroof will then draw up a picture and bring it back to this board for approval. Bob Haines seconded the motion, passed unanimously.

Street Trees

Richard Woodroof stated there has been talk about putting the trees on private property instead of the grass strip between the sidewalk and road. The utility companies pipes are being run threw that strip.

Charles Knapper asked Richard Woodroof to have some drawing at the workshop and we will discuss it then.

f.) Cul-De-Sac Radius

Richard Woodroof stated Larry Gardner wanted us to take a look at this again.

Presley Hughes (Fire Chief) stated he was not aware that this was going to be discussed tonight and had something written down that he did not have with him. The 42' radius will not accommodate what we have now.

Charles Knapper stated this will be deferred until Presley can bring us his paper work and it may be discussed at the workshop.

g.) Road Widths

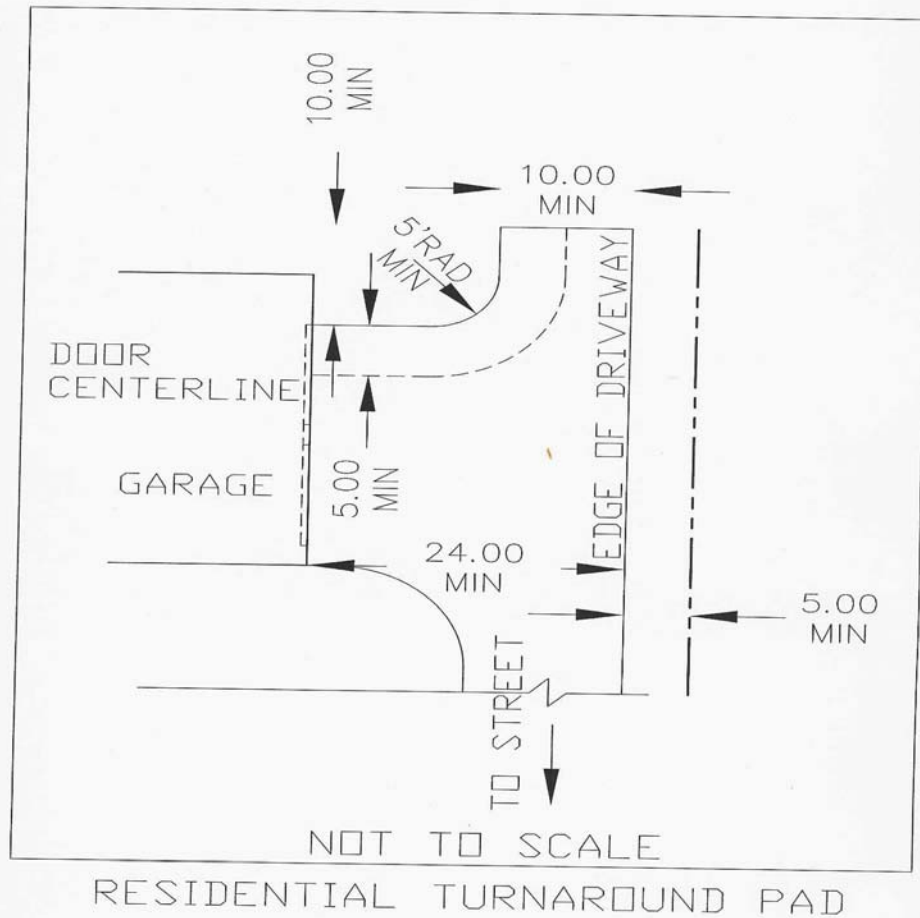
Richard Woodroof stated we have already discussed the road widths with the cross section.

h.) Turn Around

Larry Gardner stated he would like to see minimum 28' width.

Jimmy Alexander stated that if it was 28' it would be so close to the property line, when someone backs up the car would hang over on the other property.

Larry Gardner made a motion to approve the drawing as shown below:



Jimmy Alexander seconded the motion, passed unanimously.

i.) Annexation

Henry Laird stated he had passed out the ordinance to amend the zoning map and text to create an annexation buffer overlay. It reads as followed:

**ORDINANCE 05-22**

**AN ORDINANCE TO AMEND THE ZONING MAP AND TEXT OF THE ZONING ORDINANCE 04-09, NOLENSVILLE, TENNESSEE, TO CREATE AN ANNEXATION BUFFER OVERLAY AND APPLY AS DESCRIBED HEREIN**

**WHEREAS**, the Town of Nolensville enacted Zoning Ordinance 04-09 in 2004. Prior to the enactment of 04-09, the Town enacted Ordinance #98-22 in 1998 which amended the initial zoning ordinance of the Town of Nolensville. Subsequent amendments have been enacted prior to the enactment of Ordinance 04-09; and

**WHEREAS**, Article 9, section 9.1.2 of the Zoning Ordinance of the Town of Nolensville provides the authority for the Board of Mayor and Alderman to review and amend the zoning map; and,

**WHEREAS**, on December 7<sup>th</sup>, 2002, the Town of Nolensville and the City of Brentwood entered into an Interlocal Agreement by Resolution 02-15 and amended such agreement by Resolution 05-10; and,

**WHEREAS**, pursuant to the provisions of Tennessee Code Annotated Section 6-58-101, et seq., the Town of Nolensville adopted a comprehensive growth policy plan that addresses anticipated development over a 20 year period; and,

**WHEREAS**, the Town Of Nolensville adopted by Resolution #00-04, the growth plan for Williamson County dated December 21, 1999, and,

**WHEREAS**, the City of Brentwood (hereinafter, "Brentwood") and the Town of Nolensville (hereinafter, "Nolensville") desire to establish a mutually acceptable land use development plan for all acreage located within ½ mile of the urban growth boundary separating the two communities as provided in the Interlocal Agreement approved by Resolution 02-15 as amended in Resolution 05-10; and,

**WHEREAS**, The Board of Mayor and Aldermen approved Ordinance 03-06 on December 4, 2003, to annex certain territory adjacent to and including sections of Brittain Lane, Nolensville Road, Maupin Road, Williams Road, Maxwell Lane, Sunset Road, Owen Road, Hyde Lane, Split Log Road, Sam Donald Road, Clovercroft Road and Waller Road to incorporate same within the corporate boundaries of the Town of Nolensville, Tennessee; and,

**WHEREAS**, on .....an annexation of territory west and north of the existing corporate limits was approved in Chancery Court for Williamson County in Case numbers 20232 and 20234, Tennessee; and,

**WHEREAS**, the Board of Mayor and Alderman have conducted a public hearing on ....., thereon,

NOW THEREFORE, BE IT ORDAINED, THAT THE ZONING ORDINANCE OF THE TOWN OF NOLENSVILLE, TENNESSEE BE AMENDED AS FOLLOWS:

**SECTION 1:**

**Article 2.1.0 is amended to add the following zoning district:**

Annexation Buffer Overlay District (ABO)

**SECTION 2:**

**Add Article 2.2.13 to read as follows:**

Upon annexation of any property within one-half (1/2) mile of the boundary separating the urban growth boundaries of the City of Brentwood and the Town of Nolensville, an Annexation Buffer Overlay District (ABO) shall be applied. The following restrictions and limitations shall apply to any new development, in addition to all other restrictions and limitations that may apply:

- A. Development shall be limited to detached single family residences. Permitted with Conditions: Churches and other religious facilities and associated uses; schools and related facilities; and parks and recreation uses.
- B. Newly created residential subdivisions on tracts less than 15 acres shall have a minimum overall density of one single family detached unit per acre.
- C. Planned residential subdivisions on tracts greater than 15 acres shall be limited to detached single family residences having a minimum lot size of 20,000 square feet, with the overall density for the development not to exceed 1.4 detached units per acre.
- D. The minimum required lot area, building setbacks, green space provisions and maximum height for any service-institution uses shall incorporate the following minimum technical and development standards:

Use	Lot Area	Setbacks	Green Space	Height
Church/ Religious	5 acres	Front – 125 ft. Side – 75 ft. Rear – 75 ft. Side on corner 125 ft	30%  2 stories without	Front –2 stories Rear - 3 stories with basement;  basement
School	20 acres	Same as above	30%	Same as above
Parks & Recreation Uses	3 acres	Same as above	30%	Same as above

**SECTION 3:**

Notwithstanding the foregoing, if a development plan has previously been approved by the County for property within this overlay district, Brentwood and Nolensville may allow development to proceed as approved by the County, provided that all infrastructure improvements, including roads, utilities and drainage, are substantially under construction within six months of the date of approval; that such work continues on the project in a manner consistent with the approved development plan; and that development is not suspended or abandoned for six months or more.

*SECTION 4:*

**That the Town of Nolensville Zoning Map is hereby amended as follows:**

All properties described in the territory annexed under Ordinance 03-06, shall be zoned as Suburban Residential (SR). A special overlay district referred to as Annexation Buffer Overlay District (ABO) shall be applied to that area within one-half (½) mile of the boundary separating the urban growth areas of the City of Brentwood and the Town of Nolensville as referred to in the Interlocal Cooperation Agreement between the City of Brentwood, Tennessee, and the Town of Nolensville, Tennessee, approved pursuant to Resolution 05-10 as amended by Resolution 05-10.

This ordinance shall be come effective after its passage and adoption, the public welfare demanding it.

Approved by the Board of Mayor and Alderman

Charles Knapper made a motion to get it on the table for discussion, Willis Wells seconded the motion.

Charles Knapper stated he wanted to make sure everyone understands this will be zoned suburban residential. In the land use plan that we agreed on in October 2002, the east side of Nolensville Road would be zoned commercial or be allowed to be zoned commercial. I would like to hear what counsel recommends.

Bob Notestine stated you may zone everything SR but if this is approved within the next few days. We would like something in place by then and if you change the zone now, it would be a few months before anything is changed.

Charles Knapper stated he would like to make sure the board knows that the land use policy calls for the east side to be commercial.

Charles Knapper made a motion to recommend the ordinance to amend the zoning map and text of the zoning ordinance 04-09, Nolensville, TN, to create an annexation buffer overlay and apply as described to the Board of Mayor and Aldermen. Willis Wells seconded the motion, passed unanimously.

j.) Open Space Criteria

Henry Laird stated he was asked to look over the criteria for PUDS and you have a copy of my recommendations.

James Clark asked if on number five which states:

Whenever appropriate, the open space shall be bound by public roads and occur in standard geometric shapes in an effort to replicate traditional town greens, which serve as a focal point for adjacent lots; or, the space may be provided in the interior of the development behind lots if the amount is considered substantial and if adequate access is planned to this area throughout the development.

Could we demand this?

Henry Laird stated that there is a "or" in that statement. It does give some flexibility.

James Clark asked on number six it states, No more than 50% of the credited open space may consist of 100 year floodplains. I feel that 50 % seems like a lot. It should be 40 to 35 %.

Henry Laird stated that there is no limiting percentage of land that can be used as open space in the 100 year flood plain right now.

Bob Haines made a motion to approve the proposed changes in standards for PUDS and Open Space Design criteria which as followed:

**Article 2.2.10 is amended as follows:**

Amend Section 2.2.10, General Standards to add a phrase under B. to require that design and preservation of open space standards must be met:

**General Standards** Upon recommendation of the Planning Commission, the Board of Mayor and Aldermen; may approve, approve with conditions or disapprove a request for a Planned Unit Development. Any recommendation shall include a finding of fact by the Planning Commission that the proposed PUD is consistent or inconsistent with the following standards and criteria:

- A. An approved water supplier and wastewater treatment and disposal facility have acknowledged in writing that facilities are available and adequate to serve the proposed development. Storm water drainage facilities shall also be required to be provided by the developer.
- B. The location, and arrangement of the structures, parking areas, walks, lighting and other facilities shall be compatible with the surrounding land uses and any part of the proposed project that is not used for development shall be designated as open space and **meet the design and preservation standards for open space and specific standards and criteria for Planned Residential Developments set forth below.**
- C. The proposed development as presented in a phased plan, can be constructed in a manner that will not injure or damage the use, value and enjoyment of surrounding properties nor hinder the development of adjacent property in accordance with the development policies and plans of the Town.
- D. Any modification of the zoning or other regulations that would be otherwise applicable to the proposed development and are warranted based on the concept plan may be permitted, however, no modification may be permitted that would harm the public health, safety and welfare of the citizens of the Town.
- E. A property owners association shall be required to be formulated and be held responsible for the maintenance and compliance of the open spaces areas and facilities.

**SECTION 2.**

Article 2.2.10, PUD Specific standards for Planned Residential Developments is amended as follows:

**Delete the following section that reads as follows:**

In addition to the standards and criteria set forth above, planned residential developments shall comply with the standards and criteria set forth hereinafter:

**Design and preservation of open space.** Open space shall be provided as common open space as a condition of an approval of a planned unit development. No open space may be designated as common open space under the provisions of this section unless it meets the following standards:

The common open space must be usable for recreational purposes or must provide visual, aesthetic or environmental amenities. Any use authorized must be appropriate to the scale and character of the planned residential community.

Any buildings, structures and improvements proposed to be located in the common open space must be appropriate for the uses proposed and must enhance the community with amenities related to recreation, topography or environmental concerns. In addition, these improvements must be located to benefit all of the residents of the planned unit development.

If a planned unit development is to be built in phases, any proposed improvements within the common open space must be developed to ensure that each phase of the development shall have the benefits of the common open space facilities. Each phase of the project shall be required to plat the proper portion of the open space consistent with the percentage of the land areas being platted for lot sales and to maintain the approved density.

No common open space shall be conveyed to a property owners association until it has been determined by the planning commission that the character and quality of the tract to be conveyed is suitable for the proposed use for which it is intended.

The minimum amount of open space to be conveyed as common open space shall be 30 percent of the gross area of the tract proposed as a residential planned unit development. The planning commission may require additional open space based on existing site conditions.

**And replace with the following:**

In addition to the standards and criteria set forth above, planned residential developments shall comply with the standards and criteria set forth hereinafter:

**Design and preservation of open space.** Open space shall be provided as common open space as a condition of an approval of a planned unit development. No open space may be designated as common open space under the provisions of this section unless it meets the following standards:

1. The common open space must be substantial, functional, accessible, permanent and usable for recreational purposes or must provide visual, aesthetic or environmental amenities as determined by the Planning Commission.
2. Any use authorized must be appropriate to the scale and character of the planned residential community and must be compatible with the Town's comprehensive plan, land use policies, and the surrounding land uses near the development.
3. Common open space containing natural features worthy of preservation should be left undisturbed. Due consideration shall be given to topography, trees, ground cover, natural bodies of water and other significant features, including archeological, historical, scenic and cultural features of the area. Information on natural features of the site shall be provided in the preliminary review stage and concept plan application.
4. The designated open space shall have access to a public right-of-way via a walkway and should link pedestrian and/or cycling trails throughout the development and with adjacent pathways/trails.
5. Whenever appropriate, the open space shall be bound by public roads and occur in standard geometric shapes (squares, rectangles, circles, ovals) in an effort to replicate traditional town greens, which serve as a focal point for adjacent lots; or, the space may be provided in the interior of the development behind lots if the amount is considered substantial and if adequate access is planned to this area throughout the development.
6. None of the credited open space may consist of, wetlands, or slopes exceeding 25%. No more than 50% of the credited open space may consist of 100 year floodplains. If the subdivision is developed in phases or sections, all dedicated open space must be identified during the initial phase or section. Landscaped medians within roadways may be counted toward this requirement, but shall not account for more than 25% of the required open space. However, landscaped cul-de-sac islands, which are a requirement of the Subdivision Regulations, shall not be credited toward this open space requirement.
7. If the dedicated open space is wooded, it shall remain in its natural state to the maximum extent possible. The development of nature trails is encouraged for wooded open spaces.
8. Open space areas should be connected and contiguous as much as possible in the development to provide benefits to all residents of the development, and when possible, connect with adjacent open space areas of adjacent developments.
9. Any buildings, structures and improvements proposed to be located in the common open space must be appropriate for the uses proposed and must enhance the community with amenities related to recreation, topography or environmental concerns. In addition, these improvements must be located to benefit all of the residents of the planned unit development.
10. The minimum amount of open space to be conveyed as common open space shall be 30 percent of the gross area of the tract proposed as a residential planned unit development. The planning commission may require additional open space based on existing site conditions.
11. The common open space shall be maintained in a uniform manner with preservation of natural features a priority.
12. If a planned unit development is to be built in phases, any proposed improvements within the common open space must be developed to ensure that each phase of the development shall have the benefits of the common open space facilities. Each phase of the project shall be required to plat the proper portion of the open space consistent with the percentage of the land areas being platted for lot sales and to maintain the approved density.

The design of the required open space must meet Planning Commission approval to assure that the proposed open space counts toward satisfying these requirements. The Planning Commission and BOMA shall make a determination on whether the PUD plan substantially meets the design criteria and standards above.

Kristie McArthur seconded the motion, passed unanimously.

k.) PUD issues from workshop

Henry Laird stated there was three main points agreed upon in the discussion at the workshop:

1. A recommendation to establish minimum lot size of PUDs at 14,000 sq. ft.
2. Eliminate PUDs from ER zones altogether and only allow straight zoning in this area.



3. Restrict PUD densities to not exceed the base zone density where PUD is proposed.

Exp: For SR area, density would not exceed 1.8

For ER area, density would not exceed 0.6

Larry Gardner made a motion to approve:

1. A recommendation to establish minimum lot size of PUDs at 14,000 sq. ft. Only SR

3. Restrict PUD densities to not exceed the base zone density where PUD is proposed.

Exp: For SR area, density would not exceed 1.8

For ER area, density would not exceed 0.6

Kristie McArthur seconded the motion, passed unanimously.

Bob Notestine stated, "what ever is voted on tonight will have to be brought back to this board as an ordinance change. This board will see this again next month."

James Clark made a motion to amend the motion for approval of 1 and 3 and to change the minimum lot size for PUDs in ER to 40,000. Kristie McArthur seconded the motion. Motion passed with Kristie McArthur, James Clark, Charles Knapper, Rick Fisher, Frank Wilson, Willis Wells, Jimmy Alexander, and Bob Haines was for approval. Larry Gardner was against.

#### I.) Land Use Policy Workshop

Henry Laird stated a Draft of the Land Use Policy Plan was in your packets. We will be discussing this at the workshop on August 23 at 6:30.

Charles Knapper stated he would like everyone to keep in mind the goal 3 objectives that state:

- a. Promote a walkable, compact core of commercial, civic, institutional and residential uses near and within the existing commercial services area around Oldham Drive, that requires buildings scaled to serve the local population.
- b. Encourage revitalization of the Historic District that would enhance the character of Nolensville while creating a regional specialty shopping and dining area.
- c. Accommodate larger scale, regional type commercial on the North end of the UGB area adjacent to the proposed commercial node at Concord and Burkitt Road intersections with Nolensville Road.
- d. Avoid conventional strip commercial appearance by limiting the amount of parking visible from Arterial roads and controlling the placement of the building.

#### m.) Change of Use/Permits/Site Plans

Henry Laird stated this is something that has come to my attention when there is a change of use of a property, a building permit is required. This requirement for a building permit then kicks in the requirement under Appendix C Site Plan Review, 1.2.0, which requires a site plan, submitted to the Planning Commission for approval on non-residential uses or improvements that meets detailed criteria in 1.4.0. This can present a problem when a business moves in to an existing building and does not need to alter the building or the site to comply with our standards on parking and landscaping, ect.

Staffs recommendation is to give staff the authority to determine if the proposed use substantially meets the requirement of the ordinance and proceed to issue a building permit. If the staff determines that the business could NOT substantially meet the parking requirements, access,

landscaping and other standard, then it would require formal site plan approval through the Planning Commission.

Frank Wilson made a motion for Henry Laird to draw up an ordinance to change Appendix C 1.2.0 for staff to approve. Rick Fisher seconded the motion, passed unanimously.

#### Agenda Item VI- Old Business

Richard Woodroof stated he had called the bond for McFarlin Woods Phase 1 & 2. We will be getting some bids to fix the detention pond.

Richard Woodroof also stated the 13-c is having problems with fixing their road and if they are not fixed by September we will be pulling the bond.

Frank Wilson made a motion to approve the bond report. Larry Gardner seconded the motion, passed unanimously.

#### Agenda Item VII- Other Business

Charles Knapper stated he met with Rebecca Schwab this week and discussed purchasing the school for the City Hall. She recommended the town type up a letter of intent to purchase the building. Also she said that a site for the school will be decided within the next month so the new elementary school will be open in the fall 2007. With Board of Mayor and Aldermen we will send a letter of intent.

Charles Knapper stated he had also met with TDOT, Fred Schwartz, Denise Cook, Rogers Anderson, and Glen Casada regarding the 1.9 mile by pass through Nolensville. The cost of the by- pass will be 13 million dollars and take anywhere from three to ten years. We were talking with the senators to help us with the finances and to move this up the totem pole because it is a long process. We wanted to be on the tail end of what financing that is called a tip grant in 2008. They suggested if we contribute to some of the engineering cost or some of the preliminary things on determining where the road would go. They have already begun the environmental study on this. They are not only studying the Nolensville area. They are studying for Old Hickory Blvd all the way to 840. That will take a year to do. They would like a letter of intent and a comment of some type of funds from the City. It is a hundred thousand per mile for engineering cost. They would like for us to consider from Burkett Road on pass the Fire Department. We figure our portion of this would be in the \$250,000.00 range. I will type up this letter so I may take to the Board of Mayor and Aldermen for approval.

#### Agenda Item VIII- Adjournment

Being no further business to come before the Planning Commission the meeting was adjourned at 9:30 P.M.

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Larry Gardner  
Secretary for the Planning Commission

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Date